

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Crim. No. 11-00630 (ES)

v. : Hon. Esther Salas

AMIN ROLAND : ORDER

This matter having come before the Court on the application of the United States of America (Robert Frazer, Assistant U.S. Attorney, and Constantine Soupios, Special U.S. Attorney, appearing on behalf of the United States of America) and Amin Roland (Michael Murphy, Esq., and Jason Orlando, Esq., appearing on behalf of defendant Amin Roland) for a ruling on several in limine applications; and a Wade hearing having been held and testimony being taken and oral argument heard on June 14 and June 15, 2012; and for the reasons more fully set forth on the record; and for good cause shown,

IT IS ON this 21st day of June, 2012,

ORDERED that Amin Roland's motion to suppress the identifications of Amin Roland by Newark Police Officers Robert Moore and Ronald Bernard is denied; and it is further

ORDERED that Amin Roland's in limine motion to exclude the statement of Rahim Rockafeller is granted; and it is further

ORDERED that Amin Roland's in limine motion to exclude the identification of defendant by Rahim Rockafeller is granted,

except the Government will be permitted to elicit, for purposes of context, that Sgt. Ferreira did, through the investigation that night, receive information about a possible suspect that he believed to be reliable and, based on this information, placed Amin Roland's photo into a photo array that was viewed by Officers Moore and Bernard; and it is further

ORDERED that Amin Roland's in limine motion to exclude the admission of Amin Roland's plea to resisting arrest is denied consistent with the limitations the court imposed on the record;

ORDERED that Amin Roland's in limine motion to exclude the admission of Exhibit 1(a) and 1(b) is granted; and it is further

ORDERED that the Government's in limine motion to exclude the testimony of Dr. Elizabeth A. Phelps is denied; and it is further

ORDERED that the Government's in limine motion to seek the admission of Exhibit 6(a) is granted; and it is further

ORDERED that the Government's in limine motion to admit Exhibit 6(b) and 6(c) is denied except that Sgt. Ferreria may testify to the wound he observed to Rahim Rockafeller's leg; and it is further

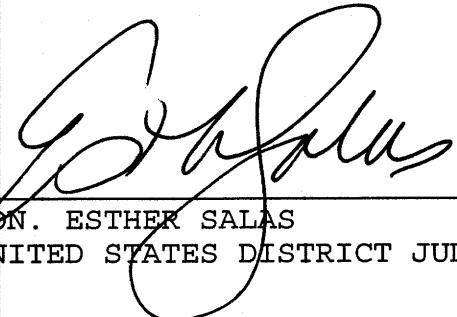
ORDERED that the Court has reserved its decision as to the Government's in limine motion to admit exhibits 7 and 8 for the reasons set forth on the record; and it is further

ORDERED that the Government's in limine motion to admit Exhibit 9 is denied; and it is further

ORDERED that the Government's ex parte application to exclude the disclosure of Ronald Bernard's psychological records is denied to the extent that a redacted copy of the report has been provided to the defendant; and it is further

ORDERED that the Government's motion seeking the admission of Amin Roland's statements during his February 28, 2007, arrest is denied; and it is further

ORDERED that Amin Roland's motion to bifurcate the convicted felon element from the remaining elements of 18 U.S.C. § 922(g) is denied.


HON. ESTHER SALAS
UNITED STATES DISTRICT JUDGE